

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

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MAJORITY STRATEGIES, LLC.,

Index No.: 652785/2023

Plaintiff,

-against-

AUSTIN C. SMITH and SMITH LAW GROUP, LLP,

**NOTICE  
OF ENTRY OF  
ORDER**

Defendants.

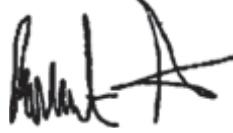
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**PLEASE TAKE NOTICE** that the within is a true copy of an Order of Honorable Louis L. Nock, dated August 23, 2023, and duly entered in the Office of the Clerk of the within name Court on August 25, 2023.

Dated: August 25, 2023  
New York, New York

Respectfully submitted,

DERREVERE STEVENS BLACK & COZAD



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99 Wall Street, #426  
New York, NY 10005-4301

Austin C. Smith, Esq. via email [austin@acsmitllawgroup.com](mailto:austin@acsmitllawgroup.com)

**SUPREME COURT OF THE STATE OF NEW YORK  
NEW YORK COUNTY**

PRESENT: HON. LOUIS L. NOCK PART 38M

*Justice*

-X-

MAJORITY STRATEGIES, LLC,

Plaintiff,

INDEX NO.

652785/2023

MOTION DATE

08/03/2023

MOTION SEQ. NO.

001

- V -

AUSTIN C SMITH, SMITH LAW GROUP, LLP

**DECISION + ORDER ON  
MOTION**

Defendant.

-X-

The following e-filed documents, listed by NYSCEF document number (Motion 001) 8, 9, 10, 11, 12, 13, 14, 15, 16, 17

were read on this motion to/for

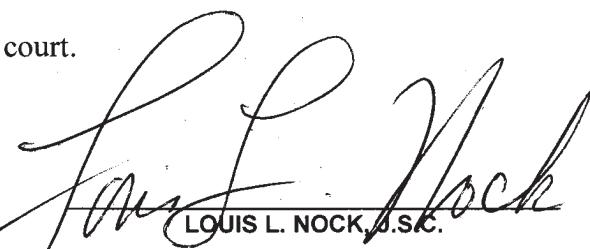
ALTERNATE SERVICE

Upon the foregoing documents, it is ORDERED that the motion is granted, without opposition, for the reasons set forth in the moving papers (NYSCEF Doc. Nos. 9, 15) and the exhibits attached thereto, in which the court concurs, as summarized herein. The affirmation of plaintiff's counsel offered in support of the motion details plaintiff's efforts to serve defendant Austin C. Smith, and defendants' apparent efforts to evade service. Accordingly, plaintiff has satisfied the requirements of CPLR 308(5) based on plaintiff's showing that other methods of service are impracticable (*Alfred E. Mann Living Tr. v ETIRC Aviation S.a.r.l.*, 78 AD3d 137, 141-42 [1st Dept 2010]), and plaintiff is permitted to serve defendant by email and regular mail as set forth below; and it is further

ORDERED that the summons and complaint and other commencement documents may be served on defendant Austin C. Smith by email at [austin@acsmithlawgroup.com](mailto:austin@acsmithlawgroup.com) and by regular mail to 99 Wall Street, #426, New York, New York 10005-4301, which the court notes is defendant's attorney address registered with the Office of Court Administration; and it is further

ORDERED that this Order is in no way determinative of the tolling of the statute of limitations or other issues of repose, should such issues arise.

This constitutes the decision and order of the court.



LOUIS L. NOCK, J.S.C.

8/23/2023

DATE

CHECK ONE:

<input type="checkbox"/>
X
<input type="checkbox"/>
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CASE DISPOSED

<input type="checkbox"/>
DENIED
<input type="checkbox"/>
<input type="checkbox"/>

X NON-FINAL DISPOSITION

APPLICATION:

GRANTED

OTHER

SETTLE ORDER

GRANTED IN PART

REFERENCE

CHECK IF APPROPRIATE:

INCLUDES TRANSFER/REASSIGN

SUBMIT ORDER

FIDUCIARY APPOINTMENT